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OGC 7-1509a

5 November 1957

**MEMORANDUM FOR:** Deputy Director (Support)

**ATTENTION:**

25X1A9A

**SUBJECT:**

Claim [ ] for Reimbursement for Travel  
of Wife and Daughter in Foreign Vessel.

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1. The attached file discloses that [ ] and son returned to the United States from [ ] in July 1956 by rail to Genoa, Italy, and thence to the United States by an American-owned vessel. His wife and daughter went to England where they remained for several months visiting the wife's family. The file further shows that when the wife sought steamship reservations in the latter part of September 1956 (she has a fear of flying over the ocean), she was informed that due to the then current Suez Canal crisis that no space was available on any U. S. ship during October 1956 and that, indeed, no space could be guaranteed during the month of November 1956. She sailed for the United States on 18 October aboard a foreign vessel.

2. [ ] has filed a claim with the Deputy Director (Support) seeking, among other things, reimbursement for cost of transportation expense of his wife and daughter from England to the United States aboard the foreign vessel. The transportation expenses were suspended by the Finance Division because of the travel on a foreign ship.

3. The pertinent law (Section 901 of Merchant Marine Act of 1936, 46 USCA 1241) provides in part that travel shall not be on a ship under a foreign flag unless necessity requires it, and our [ ] provides in part that dependents who do not accompany the employee shall travel by U. S. ship if use of such ship does not delay departure by more than 30 days after the dependent's date of readiness for travel. The law also specifically provides that the Comptroller General of the United States shall not credit any allowance for travel or shipping expenses on a foreign ship in the absence of satisfactory proof of the necessity therefor. The funds involved are unvouchered and as such are not subject to review by the General Accounting Office (GAO) of which the Comptroller General is the head. However, as a matter of policy this Agency considers itself no different from the ordinary Government agency with respect to normal administrative or operating problems, of which travel is one, and in such matters we look to the Comptroller General for guidance. Accordingly, while our approach to this claim was generally in favor of allowing it, the matter was referred informally to the General Counsel's Office of the General Accounting Office (Mr. Barclay, Code 121, Ext 3089). After review and consideration of the problem, advice was

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received that if the claim were formally submitted to the GAO, reimbursement for travel expense of the wife and daughter in the foreign vessel would be allowed, due to the emergency shipping condition caused by the Suez Canal crisis and not to exceed the lowest first-class fare by the shortest usually travelled route to the United States. We find no legal objection to such reimbursement. However, we wish to emphasize and the GAO concurs that the decision is one based solely on the factual situation as presented and is not to be considered a precedent for other cases not based on the precise factual situation.

4. The file is returned herewith.

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Assistant General Counsel

Attachment: file

cc: Chief, Finance Division

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